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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

SHARMA, SUJATHA R

ART UNIT PAPER NUMBER

2684

DATE MAILED: 05/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/003,658

Applicant(s)

MEADOR, JACK L.

Examiner

Sujatha Sharma

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12/20/04.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-18,20-27 and 29-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-18,20-27,29-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1,3-18,20-27,29-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over White [US 5,133,082] in view of Heidari [US 5,790,957].

Regarding claims 1,24, White discloses a communication system with a plurality of two-way radios. White further discloses a two way radio (see fig. 2) comprising:

- a two-way radio signal transmitter (see 34 in fig. 2).
- a two-way radio signal receiver (see fig. 2, 23) including a receiver control system (31 in fig. 2)
- a switch (22 in fig. 2) operable for switching between the transmitter and the receiver.

However, White does not disclose a method including a receive control system having a memory configured to convert radio signals to demodulated audio signals and store the demodulated signals in memory.

Heidari, in the same field of endeavor, teaches a method wherein the telephone has a receive control system having a memory (see 35, fig. 2, col. 2, lines 20-24) configured to convert radio signals to demodulated audio signals and store the demodulated signals in memory (see fig. 1 and col. 4, lines 30-36, col. 6, lines 58-64, col. 7, lines 29-46).

Therefore it would have been obvious to one with ordinary skill in the art at the time the invention was made to include the memory taught by Heidari in White's two-way system in order to process the received signals more efficiently.

Regarding claim 3, White further discloses a method comprising an antenna (21 in fig. 2) coupled to the switch, wherein the switch is operable to switch the antenna between the transmitter and the receiver. See col. 3, lines 7-11.

Regarding claim 4, White discloses an audio output for outputting audio signals (see fig. 2, 30).

Regarding claim 5, Heidari further discloses a method wherein the receiver control system further includes a controller configured for receiving audio signals, storing the audio signals and retrieving the audio signals from the memory and outputting the audio signals to the audio output (see col. 7, lines 13-28).

Regarding claim 6, Heidari discloses a two-way radio wherein the receiver control system includes

- an analog to digital converter for receiving the audio signals and converting them to digital audio signals (see 38 in Fig. 1, col. 4, lines 30-36, col.5, lines 49-58)
- a controller for storing the digital audio signals in memory and retrieving the digital audio signals from memory (see 28 in fig. 1 and col. 7, lines 13-28)

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- a digital to analog converter (72 in Fig. 1) for receiving the digital audio signals from memory via the controller and converting the digital signals to analog audio output signals which are output to the audio output (see col. 7, lines 13-28).

Regarding claim 7, Heidari further discloses a control panel coupled to the receive control system (see col. 1, line 60 – col. 7, line 2).

Regarding claim 8, Heidari further teaches a display indicator coupled to the receiver control system for indication of the presence of audio signals stored in memory (see col. 11, lines 50-67).

Regarding claim 9, Heidari further discloses a method comprising:

- an audio output system for outputting audio signals (see 14 in fig. 1)
- a receiver (see fig. 1, 50) for receiving radio signals and converting the radio signals to demodulated audio signals (38 in fig. 1)
- a bypass system (switch 84 in fig. 1) configured for selectively coupling the receiver to the audio output system and bypassing the receiver control system (see col. 7, lines 19-23, col. 8, lines 55-62, col. 11, lines 15-37).

Regarding claims 10,29 Heidari further discloses a two way radio comprising:

- an antenna (52 in fig. 1)

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- a transmitter system (16 in fig. 1) for transmitting modulated radio signals via the antenna
- a receiver system including an audio output (see 14 in fig. 1), a receiver for receiving modulated out put via the antenna (see fig. 1), a standby system including memory (see 76 and 84 in fig.1) where in the standby system is configured for receiving audio signals from the receiver and storing the audio signals in memory (see fig. 1 and col. 4, lines 30-36, col. 6, lines 58-64, col. 7, lines 29-46) and selectively outputting the stored audio signals to the audio output system (see summary of invention, fig. 1, 14 and col. 5, lines 49-67, col. 6, line 58- col. 7, line 12) and a bypass system (see switch 84 in fig. 1) configured for bypassing the standby system for directly outputting audio signals from the receiver to the audio output(see col. 7, lines 19-23, col. 8, lines 55-62, col. 11, lines 15-37).

Regarding claim 11, Heidari further discloses a method wherein the standby system further comprises an analog to digital converter (38 in fig. 1), a controller (28 in fig. 1) and a digital controller (44 in fig. 1).

Regarding claim 12, Heidari further discloses a second switch (see switch 84 in fig. 1) for switching the receiver between the standby system and the bypass system.

Regarding claims 13, Heidari further discloses a two way radio comprising:

- an antenna (52 in fig. 1)

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- a receiver system including an audio output (see 14 in fig. 1), a receiver for receiving modulated out put via the antenna (see fig. 1), a standby system including memory (see 76 and 84 in fig.1) where in the standby system is configured for receiving audio signals from the receiver and storing the audio signals in memory (see fig. 1 and col. 4, lines 30-36, col. 6, lines 58-64, col. 7, lines 29-46) and selectively outputting the stored audio signals to the audio output system (see summary of invention, fig. 1, 14 and col. 5, lines 49-67, col. 6, line 58- col. 7, line 12) and a bypass system (see switch 84 in fig. 1) configured for bypassing the standby system for directly outputting audio signals from the receiver to the audio output(see col. 7, lines 19-23, col. 8, lines 55-62, col. 11, lines 15-37).

Regarding claim 14, White further discloses a transmitter system (34 in fig. 2) for transmitting modulated radio signals via the antenna.

Regarding claim 15 White further discloses an encoder (see 26 in fig. 2) for providing a unique identification code associated with the modulated signals transmitted via the transmitter system.

Regarding clam 16, Heidari further discloses a decoder (26 in fig.2) for decoding a unique identification code associated with the radio signals received via the receiver system.

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Regarding claim 17,30,31 White discloses a method of comparing the unique code received with the stored code and if it matches then stores the message in the memory device. See col.1, line 58 – col. 6, line14.

Regarding claim 18, White further discloses a two way radio comprising:

- an antenna (21 in fig. 2)
- a controller (35 in fig.2)
- a transmitter system (34 in fig. 2) for transmitting modulated radio signals via the antenna
- a receiver system including an audio output (see 14 in fig. 1), a receiver for receiving modulated out put via the antenna (see fig. 1), converting the modulated signals to demodulated signals and storing the demodulated signals in memory via the controller (see fig. 1 and col. 4, lines 30-36, col. 6, lines 58-64, col. 7, lines 29-46) and selectively outputting the stored audio signals to the audio output system (see summary of invention, fig. 1, 14 and col. 5, lines 49-67, col. 6, line 58- col. 7, line 12)
- a switch (22 in fig. 2) operable for switching between the transmitter and the receiver.

However, White does not disclose a method including a receive control system having a memory configured to convert radio signals to demodulated audio signals and store the demodulated signals in memory.

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Heidari, in the same field of endeavor, teaches a method wherein the telephone has a receive control system having a memory (see 35, fig. 2, col. 2, lines 20-24) configured to convert radio signals to demodulated audio signals and store the demodulated signals in memory (see fig. 1 and col. 4, lines 30-36, col. 6, lines 58-64, col. 7, lines 29-46).

Therefore it would have been obvious to one with ordinary skill in the art at the time the invention was made to include the memory taught by Heidari in White's two-way system in order to process the received signals more efficiently.

Regarding claim 20, Heidari discloses a transmitter system that includes a radio frequency transmitter (32,40,42 in fig.1), a digital modulator (32 in fig. 1), an analog to digital converter (70 in fig. 1) and an audio input system (12 in fig. 1).

Regarding claim 21, Heidari further discloses a receiver system, which includes a radio frequency receiver (36,44,46 in fig.1), a digital demodulator (36 in fig.1), a digital to analog converter (72 in fig.1), and an audio output system (14 in fig.1).

Regarding claim 22, Heidari further discloses a control panel coupled to the receive control system (see col. 1, line 60 – col. 7, line 2).

Regarding claim 23, Heidari further discloses a two way radio comprising a display indicator coupled to the receiver control system for indication of the presence of audio signals stored in memory (see col. 11, lines 50-67).

Regarding claim 25, Heidari discloses an audio output for selectively outputting audio signals (see fig. 1, 14 and col. 5, lines 49-67, col. 6, line 58- col. 7, line 12).

Regarding claim 26, White discloses a method of comparing the unique code received with the stored code and if it matches then stores the message in the memory device. See col.1, line 58 – col. 6, line14.

Regarding claim 27 White further discloses an encoder (see 26 in fig. 2) for providing a unique identification code associated with the modulated signals transmitted via the transmitter system.

Response to Arguments

3. Applicant's arguments with respect to claims 1,3-18,20-27,29-31 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO**


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MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sujatha Sharma whose telephone number is 571-272-7886. The examiner can normally be reached on Mon-Fri 7.30am - 4.00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay Maung can be reached on 571-272-7882. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Sujatha Sharma
April 21, 2005


NAY MAUNG
SUPERVISORY PATENT EXAMINER